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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,293	10/29/2001	Eduard K. de Jong	P-7015	9836
24209 7590 02/22/2008 GUNNISON MCKAY & HODGSON, LLP 1900 GARDEN ROAD SUITE 220 MONTEREY, CA 93940				
EXAMINER				
FIELDS, COURTNEY D				
ART UNIT		PAPER NUMBER		
2137				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/040,293

Applicant(s)

DE JONG ET AL.

Examiner

COURTNEY D. FIELDS

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 12, 15 and 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9 is/are allowed.
- 6) ☒ Claim(s) 12, 15, and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-9, 12,15, and 18 are pending.

Response to Arguments

1. Applicant's arguments filed 21 December 2007 have been fully considered but they are not persuasive.
2. Referring to the rejection of claims 12,15, and 18, the Applicant contends that the prior art Du et al. does not teach, disclose, nor suggest the invention in the same level of detail as recited in the claims, wherein logging onto the smartcard is not shown. The Examiner respectfully disagrees and asserts that the storing of logging onto a smartcard/information is absent a specific definition within the specification. Therefore, the most reasonable interpretation for storing user logon information would be any information stored that is used in the login process. As shown in Du et al., the key is stored in the smart card and would meet this feature within the claim. On page 5, Section 0062, Du et al. discloses each smart card is unique and stores the encryption key which contains the user's login information. The encryption key only exists on the smart card and is not stored on the server. On page 5, Section 0069, Du et al. discloses when a smart card is inserted into the computer, the computer boots up into its normal operating system. This allows the user to enter networks and web sites that requires a login procedure, by using the user's passwords which are stored onto the smartcard. The smart card will automatically login the user to the web site.
3. Therefore, the rejection of claims 12,15, and 18 are maintained in view of the reasons above and in view of the reasons below.

Allowable Subject Matter

4. Prosecution on the merits of this application is reopened on claims 12,15, and 18 are considered unpatentable for the reasons indicated below: storing user logon information for at least one service provider server on a portable user-controlled secure device, said at least one service provider server comprising at least one network server that is capable of providing a service to a user, and logging on to said portable user-controlled secure device, said logging on providing access to said at least one service provider server.
5. The indicated allowability of claims 12,15, and 18 is withdrawn in view of the newly discovered reference(s) to Du et al. (Pub No. 20020029348). Rejections based on the newly cited reference(s) follow.
6. **Claims 1-9** are allowed.
7. The following is an examiner's statement of reasons for allowance: The present invention is directed towards a method and system for managing identification in a data communications network wherein receiving a user-controlled secure storage device and enrolling the user with an authority network site. Claims 1,2,4,5,7, and 8 identifies the uniquely distinct features **"receiving a portable user-controlled secure storage device; enrolling a user of said portable user-controlled secure storage device with an authority network site, said enrolling comprising providing information requested by said authority network site; receiving user data in response to said enrolling; storing said user data in said portable user-controlled secure storage device; enabling said portable user-controlled secure storage device to release**

said user data; and using said user data, from said portable user-controlled secure storage device, at a service provider network site to obtain a service".

Claims 3,6, and 9 identifies the uniquely distinct features **"presenting an identity credential request and data to be stored to a federated identity server via a client host; receiving an identity credential in response to said identity credential request, said identity credential comprising a randomized ID and an identification authority ID, said federated identity server capable of verifying the truthfulness, accuracy and completeness of said data to be stored; presenting a service request and said identity credential to a service portal, said service portal configured to issue an authentication request to said federated identity server; receiving a logon credential in response to said service request, said login credential comprising an indication of the client host used by the user; and using said logon credential to obtain a service from a service provider accessible via said service portal"**.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 12,15, and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Du et al. (Pub No. 20020029348).

As per claims 12,15, and 18, Du et al. discloses a smart card (i.e. "portable user-controlled secure device") security information configuration and recovery system providing a secure Web site and server that allows smart card uses to easily create and obtain smart cards and passwords (See Abstract)

Du et al. discloses a portable user-controlled secure device (i.e., laptops, notebooks, and PDAs) in combination with a smart card for use in secure login (See page 1, paragraphs (0003-0004 and 0010).

Du et al. discloses accessing the logon information for an ISP and web site (i.e. "at least one network server that is capable of providing a service to a user") when the smart card is read via auto launch at boot-up (i.e. "logging on to said portable user-controlled device") when the user specifies to the invention the data needed to establish at least a portion of his mobile personal environment through the invention's user interface. (See pages 2-3, paragraphs 0037-0040)

As such, Du et al. discloses within the reference the means for gathering the username, password, and Internet site bookmark data in order to gain access immediately and directly to the Internet site that constitutes at least some part of the mobile computer user's mobile personal environment (i.e. "at least one service provider server"). (See page 3, paragraph 0040)

Conclusion

1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **COURTNEY D. FIELDS** whose telephone number is (571)272-3871. The examiner can normally be reached on Mon - Thurs. 6:00 - 4:00 pm; off every Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on 571-272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2137

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. D. F./
Examiner, Art Unit 2137
February 15, 2008

/Emmanuel L. Moise/
Supervisory Patent Examiner, Art Unit 2137